

1882-013 Chancery Causes: Elijah C. Carter vs. Eliza J. Lambert &c  
Lee Co.

Alsop, Napier, Short

2 Plats

CA-Estate Dispute  
T-Property

-Deed

To the Hon John A Kelly Judge of the Circuit  
Court of Lee County Virginia

Your Orator Elijah B Carter humbly com-  
plaining respectfully sheweth unto your Honor  
that heretofore to wit on the day of 1865  
one Nathaniel Alsuf departed this life intestate  
the owner of a tract of land supposed to contain about  
500 acres Situated, lying and being in said County of  
Lee and in what is known as the Pocket on the South  
side of the Little Black Mountain and on the North  
side of the Lone Mountain and on the head waters of  
Straight Creek, and which land was conveyed to said  
Alsuf by Elijah Pennington by deed duly recorded  
in the clerks office of Lee County Court.

Your Orator states that said Alsuf at his death  
left a widow Lucy Alsuf, and 5 children his heirs  
at law to wit, Jasper, Elizabeth, Eliza J. Barbary, and  
Margaret Alsuf. to whom descended the legal title to  
said tract of land subject to the dower right of the  
the said Lucy Alsuf then

Your Orator further States that since the death of  
said Nathaniel Alsuf his son the said Jasper Alsuf  
departed this life intestate leaving a widow Martha Alsuf  
and four children his heirs at law to wit, John, Nathaniel  
Matthew and R. J. Alsuf all of whom are minors under  
21 years of age, to whom descended one fifth part of



said tract of land, subject to the dower right of the said Martha Alsop therein.

Your Orator further states that the said Elizabeth Alsop intermarried with one Samuel Carter, the said Margaret Alsop with one Carlo. Shot, and the said Eliza J. Alsop with one William Lambert the latter of whom is now dead leaving the said Eliza J. Lambert his widow a feme sole.

Your Orator further states that about the year 1873 the said Barbary Alsop sold her undivided interest in said tract of land to one William A. Parsons and he sometime thereafter sold the same to one Jeanev Kofner who soon after said purchase departed this life intestate leaving 8 children her heirs at law to wit, George, John R. Harrington, Levi, Martha, Nancy, Isaac and Sarah Kofner the last two of whom are minors under 21 years of age, to whom descended such title and claim as was vested in the said Jeanev Kofner by her purchase from said W. A. Parsons.

Your Orator now states that he has become the owner by purchase of the dower right of said Lucy Alsop in said entire tract of land as will fully appear by her original deed of conveyance thereof herewith filed marked (A)

Your Orator further states that he has purchased from Carlo Shot and his wife Margaret their undivided interest in said tract of land and that he has fully paid them for the same and that he holds their bond for a title thereto which is herewith filed marked (B) as part herof.



Your Orator further states that he has purchased from Samuel Carter and his wife Elizabeth their undivided interest in said tract of land, and that he holds said land for a title deeds as soon as a small balance of the purchase money yet due them shall be paid, which bond is herewith filed as a further part of this bill marked (C)

From what has now been stated your Honor will see that your Orator is entitled to the widow dower in said tract of land, and also to two undivided fifth parts thereof by his purchases aforesaid, that Eliza J. Lambert is entitled to  $\frac{1}{5}$  thereof. The heirs of Jasper Alsop before mentioned to  $\frac{1}{5}$  thereof, and the heirs of Janey Kofier before named to another  $\frac{1}{5}$  part thereof. And your Orator is advised that under the law of the land he is entitled to have the widow dower laid off and assigned to him by virtue of his purchase from her, and to have said tract of land partitioned between himself and the other parties just named, and to attain such end is the object of this Suit. Your Orators prayer therefore is that the said Eliza J. Lambert, Martha Alsop widow of Jasper Alsop deceased, John Alsop, Nathaniel Alsop, Matthew Alsop, R. J. Alsop, Martha Kofier, George Kofier, John R. Kofier, Harrington Kofier, Levi Kofier, Nancy Kofier, Isaac Kofier and Sarah Kofier be made the defendants to this bill and required to answer the statements thereof on Oath. That a guardian ad



litum be appointed for John, Nathaniel, Matthew and H.  
J. Alsop and for Isaac and Sarah Napier To defend  
their interest in this cause, that upon a hearing thereof  
commissioners be appointed with directions to lay off and  
assign down to your Orator as assignee of Lucy Alsop  
and that they be also directed to lay off and assign to  
your Orator two fifths of said tract of land in a body  
together, that they assign to Eliza J. Lambert  $\frac{1}{5}$  thereof  
to the heirs of Jasper Alsop  $\frac{1}{5}$  thereof, and to the heirs  
of Jeaney Napier  $\frac{1}{5}$  thereof, And if your Orator is  
in anywise mistaken in this his Special prayer: then  
he prays for all general relief. May the Commissioners  
write of Spa issue directed &c.

Argers & Morgan



Elijah L. Carter

vs. Bill in Chy

Elijah J. Lambert & others

1882 Febry Sp. Ex. except on Martha  
Lambert, and O. Kisi  
" Mr. O. K. Conf. and of info. by  
C. A. L. filed & set for  
hearing by Plff.

1882. March Decree & Costs  
" Aug. Decree & Costs

6 \$10.28

C. A. L. 5.00

A 15.00

2

B 6.50

C 30.90

Co Clerk \$67.68

4.50

\$72.18

72.18

514436

28.875

5172.18

Gen. A. 14.433

M. A. 14.433

James L. 14.433

243,304

514136 28.875

\$28.27 \$72.18

\$14.14



In The Circuit Court of Lee County,  
Lee County to wit:

To The  
Honorable John A. Kelly Judge of  
The said Court.

The Answer of George  
Stappier one of the heirs at law of  
Jane Stappier deceased to a bill of  
Complaint exhibited against him,  
his Brothers, and sisters, and  
others in your Honors Court, by  
one Elijah C. Carter Complainant.

This defendant admits  
all the allegations in the said plaintiff's  
bill of Complaint contained, and  
that the statements made therein are  
correct, and interposes no objection  
to the granting of the relief prayed  
for by the plaintiff, in so far as par-  
tition is concerned. Your Respondent  
would now represent unto your  
Honor, that since the death of his  
mother the said Jane, he has pro-  
ceeded to pay the residue of the pur-  
chase price of the land to William  
A. Parsons his ancestor's Vendor  
and caused deeds to be executed  
to all the heirs of the said Jane



being one fifth of the entire Tract  
of the Nathaniel Alsop land  
as specified in said Complainant's  
bill, which said deeds are here filed  
as part hereof, and marked A 1 &

Your Respondent would further  
state, that he has also purchased  
the individual interest of his  
brothers John, Harrington and Levi  
Stappin and also the undivided interest  
of his sister Martha, and Nancy  
which latter is intermarried with  
George Stapleton and has the title  
bond of all these parties for a  
deed to their said interests except  
the said Martha, but your Res-  
pondent has paid to the said  
Martha the price of her said  
interest and is entitled to a Con-  
veyance of the same, thus clearly  
showing that this Respondent  
is entitled to  $\frac{4}{8}$  of  $\frac{1}{5}$  of the entire  
Tract of land designated in the  
Complainant's bill.

Your Respondent  
would now state, that he owns a  
Tract of land adjoining the Tract  
sought to be partitioned, and



is advised that the Court will direct  
his said interest to be laid off  
next to, and adjoining the lands  
now owned by him, if the same  
can be done without detriment  
to the interests and rights of his  
tenants in common, and this  
defendant avers. That the said  
partition can be made and the  
part to which the heirs of the said  
Jane is entitled, being  $\frac{5}{8}$  of the  
whole, can be laid off and  
assigned to them, next to, and  
adjoining the lands now owned  
by Respondent.

Respondent there-  
fore prays that upon a hearing  
your honor will direct the par-  
-tition according to the prayer  
of your respondent, and for  
that purpose Respondent would  
respectfully ask your honor to  
consider this answer as a  
petition.

And having now fully  
answered, prays to be leave  
dismissed &c.

Richmond



Fugitive

Lu County to wit:

This day

personally appeared George Stappin  
before me the undersigned Clerk  
of the Circuit Court of Lu County  
and made oath in due form  
of law that the matters and  
things contained in the foregoing  
answer is to the best of his  
knowledge, information and  
belief true, Given under my  
hand, this the 29<sup>th</sup> day of March  
1882.

J. A. S. Hyatt  
clerk.

R //

George Stappin et al.

vs  
Ans

Elijah C. Carter

Filed March 30/82

J. A. S. Hyatt  
clerk

chd 15



To the Hon. John A. Kelly Judge of the  
Circuit Court of Lee County.

The separate answer of John,  
Nathaniel, Mathew, and R. J. Alsop  
& Isaac & Sarah <sup>Napier</sup> ~~Napier~~  
infants by J. A. Hyatt their Guardian  
ad litem, to a bill in Chancery filed  
in your Hon<sup>r</sup> Court, by Elijah C. Carter  
against, these infants and others,

For answer your respondent says, that he  
knows nothing of the truth or falsity of the  
allegations in the plaintiffs bill, and is  
advised of no defense proper or necessary  
for him to make as their Guardian in  
the said suit, but this being a Court  
of Equity, and as such the peculiar  
Guar. of the rights and interest of infants,

Your respondent begs leave to place  
the rights and interests of his said wards  
into the hands of your Honor, knowing  
that they will there be protected.

J. A. Hyatt

Guar. ad litem

Sworn to before me.

March 6<sup>th</sup> 1882.

John R. Gibson Clerk  
of Lee County Court,



Elijah C. Carter

vs <sup>3</sup> Ans. Guar. at litem  
<sub>3</sub>

Eliza J. Alsop et al

Filed Feb'y Rules 1882,  
J. Als Hyatt lck

Answer

G. A. L. Fee \$5.00  
to J. Als Hyatt.

Chd 15-



Elijah B. Carter

Poff

vs.

Eliza J. Lambert & others Defts

In Chancery

This cause came on again this day to be further heard on the papers formerly read, and the report of commissioners making partition of the land in the bill mentioned, and was argued by counsel. And said report of partition being submitted to. And filed in the office the time required by law. and being seen and inspected by the court. On consideration thereof it is adjudged ordered and decreed that said report of partition be and the same is confirmed. Pursuant thereto it is further adjudged and ordered that the widow and heirs of Jasper Alsop take and hold free from the claim of the <sup>other</sup> parties lot no. 1 according to the plot & metes and bounds as shown in said commissioners plot and report. That the heirs of Jeanev Kasper take and hold in the same way lot No. 2. That Eliza J. Lambert take and hold in the same way lot No. 3. and that the Poff Elijah B. Carter take and hold in the same way lot No. 4. and that the poff pay two fifths of the costs of suit, and that he recover of the widow and heirs of Jasper Alsop one fifth of said costs, of the heirs of Jeanev Kasper one fifth of said costs, and of Eliza J. Lambert, a like fifth of said costs. And the clerk of this court is directed to deliver to the clerk of the county court of Seaboard for record in the Book in which deeds are recorded Copies of the former decree in this cause, said commissioners report and plot and this decree, and no further action being necessary. This



Elijah B. Carter

vs. { Dece. No. 2 Final.

Elijah J. Lambert vs.

Entered Page 270.

J. A. Hyatt  
Clerk

Enter

for A. E.

Sept 4/82

Chd 15-



# Virginia

At a Circuit Court Continued and held  
for Lee County at the Court House thereof on  
the 4<sup>th</sup> day of September 1882

Elijah B. Carter

Plaintiff

vs

Eliza J. Lambert & others Defendants

In Chancery

This Cause came on again this day  
to be heard on the papers formerly read and  
the report of Commissioners making partition  
of the land in the bill mentioned, and was  
argued by Counsel, and said report of partition  
being unaccepted to, and filed in the office the  
time required by law and being seen and  
inspected by the Court, On consideration  
thereof it is adjudged, ordered and decreed  
that said report of partition be and the same  
is confirmed, Pursuant thereto it is further  
adjudged and ordered that the widow and  
heirs of Jasper Alsop take and hold free from  
the claim of the other parties lot No 1 according  
to the plat & metes and bounds as shown in  
said Commissioners plat and report. That the  
heirs of Jeanev Kappier take and hold in  
the same way lot No 2. That Eliza J. Lambert  
take and hold in the same way lot No 3 and  
that the Plaintiff Elijah B. Carter take and  
hold in the same way lot No 4, And that  
the Plff. pay two fifths of the costs of suit and  
that the receiver of the widow and heirs of  
Jasper Alsop one fifth of said costs, of the  
heirs of Jeanev Kappier one fifth of said cost  
And of Eliza J. Lambert a like fifth of said  
costs. And the Clerk of this Court is



directed to deliver to the Clerk of the  
County Court of Lee County, for recor-  
~~dation~~ in the book in which deeds  
are recorded copies of this and the for-  
mer decree in this cause, said  
Commissioners report and plat  
and this decree, and no further  
action being necessary this cause  
is stricken from the docket.

A Copy Leste -  
J. A. Hyatt  
Clerk

Elijah C. Carters  
33 copy of decree  
no 2 final  
Eliza J. Lambert

Virginia Lee County Court Clerk's office 23<sup>rd</sup> 1882.

The foregoing plat, and report of the division of the land of  
Nathaniel Alsup decd, was this day filed in this office and  
admitted to record.

Leste John R. Gibson Clerk.



Elijah C. Carter

Peff

vs

Elija J. Lambert & others

Defts

In Chy

This cause came on this day to be heard on the bill of the Peff and Exhibits therewith. The answer of the infant defendants by their guardian ad litem John A. E. Hyatt and the answer of Geo. Kasper filed at the present term - - - - - and was argued by counsel. And it appearing to the court that the cause has been regularly matured at rules and set for hearing and the adult depts <sup>except George Kasper</sup> still failing to appear and answer, the bill is taken for confessed as to them. On consideration thereof it is adjudged ordered and decreed that dower be assigned the peff out of the lands in the bill mentioned as assignee of the widow of Nathaniel Alsop decd. and that the tract of land referred to in the bill be partitioned among the parties interested according to their respective interests and to attain this end, John P. Graham, Edward Parsons, and Wm. Page are appointed commissioners to assign dower and make such partition. They will first assign the Peff as dower One equal third part of said land in annual rental value. They will then assign to the Peff two fifths of said land in a body together if they can do so, without prejudice to the others interested, they will then assign one fifth of said land to the depts. Elija J. Lambert, One fifth to the heirs of Jasper Alsop and One ~~fifth~~ fifth to the heirs of Jeane Kasper decd. And <sup>in</sup> making these assignments, said commissioners will have due regard to quantity and quality, and they will report their action to the court, and the cause is continued.

\* And in making the assignment of one fifth to the heirs of ~~Jeane~~ Jeane Kasper decd. said commissioners will lay off and assign the same out of said land adjoining the lands now owned by George Kasper one of the heirs of said Jeane if they can do so, without injury to other interests.



Elijah C. Carter

vs } Decree No 1

Eliza J. Lambert, rel

Entered P. 233.

J. M. Hyatt clk.

Enter  
for A. K.  
Mar 31/82

clerk 15-



# Virginia

At a circuit Court Continued and held  
for Lee County at the Court house thereof  
on the 31<sup>st</sup> day of March 1882

Elijah C. Carter

Plff

In Chancery

vs

Eliza J. Lambert et al

Defts

This cause came on this day to be heard  
on the bill of the plaintiff & exhibits therewith, the  
answer of the infant defendants by their Guardian  
ad litem J. A. Hyatt and the answer of George  
Napier filed at the present term, and was  
argued by counsel, and it appearing to the  
Court that the cause has been regularly  
matured at rules and set for hearing, and  
the adult defendants except George Napier still  
failing to appear and answer, the bill is  
taken for confessed as to them.

On consideration thereof it is adjudged  
ordered and decreed, that dower be assign-  
ed the Plff, out of the lands in the bill men-  
tioned, as assignee of the widow of Nathaniel  
Alsop dec'd, and that the tract of land refer-  
ed to in the bill be partitioned, among the  
parties interested according to their respective  
interests, and to attain this end John P.  
Graham, Edward Parsons & Wm Page are appo-  
inted Commissioners to assign dower and  
make such partition, they will first assign  
the Plff as dower one equal third part of said  
land in annual rental value, they will then  
assign to the Plff. two fifths of said land in  
a body if they can do so without prejudice  
to the others interested, they will then also



assign one fifth of said land to the debt Eliza J. Lambert, one fifth to the heirs of Jasper Aloup and one fifth to the heirs of Jeaney Napier dec'd and in making these assignments said Commissioners will have due regard to quantity and quality, and in making the assignment of one fifth to the heirs of Jeaney Napier dec'd, said Commissioners will lay off and assign the same out of said land adjoining the lands now owned by George Napier one of the heirs of the said Jeaney, if they can do so without injury to the other ~~interests~~ interests, and they will report their action to this Court and the Cause is continued.

A Copy Sept.

J. A. Wyatt Clerk

Eliza J. Lambert  
Clerk of Court  
No. 10  
Eliza J. Lambert



To the Honorable John A. Kelly judge of the  
circuit court of Lee county Virginia we the  
undersigned commissioners appointed for that  
purpose at the March term 1882 went upon the  
Land of Nathaniel Alsop Deceased on the 29<sup>th</sup>  
and following days <sup>of May 1882</sup> and proceeded to survey partition  
and assign said land to the several parties entitled  
thereto in the manner following we found said  
tract of land to contain 457 Acres as near as could  
be ascertained by actual survey we did not lay off  
one third as a Dower interest to the Plaintiff in this  
cause for this reason the widow of said Nathaniel Alsop  
had departed this life some time previous to the  
29<sup>th</sup> of May 1882 as we were credibly informed  
and as was acknowledged by the plaintiff in this  
cause (this being the time we commenced the discharge of  
the duties imposed upon us by your order)  
first we lay off and assign to the Heirs of Gasper  
Alsop Deceased 68 1/2 Acres and bounded as follows to  
wit. Beginning at sugar tree and fallen Sourwood a little north  
of the north bank of straight creek one of the original  
corners of this tract of Land standing very near the cabin  
in which Martha Alsop <sup>the widow</sup> and the Heirs ~~of the widow~~ of the late  
Gasper Alsop deceased now reside we ran S 16° E 4 Poles to a stake  
in the north edge of straight creek N 5 1/2° E 19 Poles to a white  
oak on the north bank of said creek N 77° E 52 Poles to a rock  
at large index and 1 N 4 1/2° W 7 Poles to a chestnut N 27 1/2° E 13 Poles  
to a rock N 3 1/2° E 19 Poles to a rock N 15° W 15 Poles to a rock.



near a branch then leaving said branch N 82 3/4 W 16 Poles  
 to a stake on top of a ridge then up and along the top of said  
 ridge N 7 E 22 Poles to a stake N 1 1/2 W 21 Poles to a stake  
 N 20 E 13 Poles to a chestnut Oak N 36 1/2 E 15 Poles to stake N 28 1/2  
 E 14 1/4 Poles to a Hickory N 3 1/2 E 20 Poles to a spotted Oak N 15 E  
 8 Poles to a chestnut Oak <sup>and stake</sup> on the main ridge between straight  
 creek and benedicts branch then down and with the top of  
 said ridge S 45 1/2 W 17 Poles S 68 1/2 W 13 Poles S 57 3/4 W 14 Poles  
 S 50 1/2 W 8 Poles S 34 W 24 Poles to a chestnut oak below a rocky point  
 S 23 W 34 Poles S 23 1/2 W 7 Poles S 31 W 8 Poles S 25 1/2 W 6 Poles  
 S 17 1/2 W 10 Poles S 4 1/2 W 7 Poles S 13 W 8 Poles S 23 1/2 W 10  
 Poles S 21 1/2 W 7 Poles S 3 1/2 W 6 Poles to 4 Black oaks <sup>or 2 chestnuts</sup> on top of said  
 ridge S 2 E 22 Poles to a chestnut & black Oak S 15 1/4 E 33 Poles  
 to the Beginning by a reference to the accompanying plat  
 this lot may be seen beginning at the <sup>small</sup> index and thence  
 to 3.2.1 & the large index then to a.b.c and around to c and thence to  
A the Beginning for convenience we call this lot no 1

We next lay off and assign lot no 2 containing 82 Acres  
 to the heirs of jincy Napier deceased and bounded as follows  
 to wit Beginning at stake on north bank or edge of straight  
 creek at 3 corner to lot no 1 and with lines of same N 57 1/2 E  
 19 Poles to a white Oak on the north side of said creek  
 N 77 E 52 Poles to a rock at the large index & 1 then leaving  
 the lines of the first lot S 67 1/2 E crossing said creek 20 1/2  
 Poles to a chestnut Oak & beech on the end of a cliff N 87 1/2  
 E 9 Poles to a spotted Oak S 76 E 7 1/2 Poles to a chestnut S 63 E  
 15 Poles to a chestnut Oak S 76 1/2 E 6 Poles to a stake S 73 E 10

Poles to a stake <sup>Poles</sup> S 77 1/2 E 11 1/2 to stake then leaving the top of said spur  
 S 87 E 93 Poles to a stake at 16 on top of the Lone mountain  
 then down and with the top of the same as it meanders S 55  
 W 10 Poles S 36 1/2 W 10 Poles to a large sugar tree S 61 W 12 Poles S 55 W  
 7 Poles S 31 W 14 1/3 Poles S 41 1/2 W 14 Poles S 57 1/2 W 6 Poles S 28 1/2 W  
 2 1/2 Poles S 65 W 6 Poles S 38 1/2 W 8 Poles S 28 W 6 Poles to a locust  
 & Hickory and Hickory stump a little East of a low gap on  
 top of said lone mountain and in the meredie line then  
 leaving the top of said lone mountain and with the  
 meredie line N 68 W 163 <sup>Poles</sup> to two Hickories and birch on  
 a steep hill side two or the poles west of a small branch  
 then leaving the meredie line N 16 W 30 Poles crossing straight  
 creek to a stake in the north edge of said creek the Begin-  
-ning

We next assign lot no 3 containing 100 Acres to Eliza.  
 J. Lambert and bounded as follows to wit Beginning  
 at the large index & 1 corner to each of the foregoing lots  
 thence N 53 1/2 E 43 Poles to a maple on the south side of straight  
 creek N 42 1/4 E 26 Poles to a Hickory on the north bank  
 of said creek N 61 E 12 Poles to a gum on the south  
 bank of said creek N 38 1/2 E 8 Poles to a stake near a spring  
 on the north bank of said creek N 44 1/2 E 7 3/4 Poles to a  
 Poplar on the south bank of said creek N 29 E 7 Poles  
 to a beech at the foot of a bank of said creek then  
 leaving said creek N 76 1/2 E 134 Poles to a stake on top  
 of the Lone mountain S 8 E 8 Poles S 20 E 12 Poles S 14 1/2  
 E 3 1/3 Poles S 18 W 18 Poles S 8 1/2 E 4 Poles S 37 1/2 W 17 1/3 Poles passing  
 the snake den S 9 W 10 Poles S 2 W 5 Poles S 11 W 8 Poles



S  $4\frac{1}{2}$  W 26 Poles to a double spotted Oak & Hickory.  
S  $10\frac{1}{2}$  W 9 Poles S  $1\frac{1}{2}$  E 2 Poles S  $10$  W 15 Poles to a stake  
corner to the second lot and with the lines of  
same N  $87$  W 93 Poles to a stake N  $77\frac{1}{2}$  W 11 Poles ~~N  $50$  W 11~~  
Poles N  $73$  W 10 Poles N  $76\frac{1}{2}$  W 6 Poles to a chestnut Oak N  
 $63$  W 15 Poles to a chestnut N  $76$  W  $9\frac{1}{2}$  Poles to a spotted  
Oak S  $89\frac{3}{4}$  W 9 Poles to a chestnut Oak & beech at the  
end of a cliff N  $67\frac{1}{2}$  W  $20\frac{1}{2}$  Poles crossing straight  
creek to a rock - the Beginning  
We next assign lot No 4 containing 206 $\frac{1}{2}$  Acres to  
Elijah B. Carter (the plaintiff in this cause) as two  
fifths of said land and bounded as follows to wit  
Beginning at the large index and corner to each of the  
three first lots N  $4\frac{1}{2}$  W 7 Poles to a chestnut N  $27\frac{1}{2}$  E 13 Poles  
to a rock N  $3\frac{1}{2}$  E 19 Poles to a rock N  $15$  W 15 Poles to a  
rock near a branch then leaving said branch north  
 $82\frac{3}{4}$  W 16 Poles to a stake on top of a ridge then along the  
top of said ridge N  $7$  E 22 Poles to a stake N  $1\frac{1}{2}$  W 21  
Poles N  $20$  E 13 Poles to a chestnut Oak N  $36\frac{1}{2}$  E 15 Poles  
N  $29\frac{1}{2}$  E  $14\frac{1}{4}$  Poles to a Hickory N  $3\frac{1}{2}$  E 20 Poles to a spotted  
Oak N  $13$  E 8 Poles to a chestnut Oak on the main  
ridge between the straight creek and benedicts  
branch due N 9 Poles N  $11$  E 6 Poles N  $28\frac{1}{2}$  E 8 Poles N  $21\frac{1}{2}$   
E 14 Poles to sugar tree chestnut & Hickory N  $35$  E  $12\frac{1}{4}$  Poles  
to a large chestnut Oak N  $18\frac{1}{4}$  E 10 Poles to a  
Hickory N  $4$  E 5 Poles to a stake and white Oak  
in the closing line of an entry made in  
the name of Levi and Elijah Pennington

said Entry bearing date May 4<sup>th</sup> 1849 and with  
said closing line S  $89\frac{1}{4}$  E 108 Poles to sugar tree  
two Hickories and fallen Locust (the Beginning  
corner to the said Pennington Entry S  $54$  E 63 Poles  
to two chestnuts and two chestnut Oaks on the side of  
the black mountain S  $8$  E 76 Poles to two Hickories  
in a low place on top of the lone mountain  
thence down and with the top of same as it meanders  
S  $20$  W 8 Poles S  $12\frac{1}{2}$  W 5 Poles S  $28$  W 5 Poles to a stake corner  
to lot No 3 and with lines of the same S  $76\frac{1}{2}$  W 134  
Poles to a ~~stake on ridge~~ then to a beech at the foot of  
a bank on the south side of straight creek S  $29\frac{1}{2}$   
7 Poles to a Poplar on the south bank of the said creek  
S  $44\frac{1}{2}$  W  $7\frac{3}{4}$  Poles to a stake near a spring on the north  
bank of the creek S  $38\frac{1}{2}$  W 8 Poles to a gum on the  
south bank of said creek S  $61$  W 12 Poles to a Hickory  
on the north bank of said creek S  $42\frac{1}{4}$  W 26 Poles  
to a maple on the south bank of said creek S  
 $53\frac{1}{2}$  W 43 Poles to the Beginning by a reference  
to the accompanying diagram each lot will be seen  
sufficiently indicated Submitted this June 20<sup>th</sup>  
1882. ~~and~~

John P. Graham  
William P. Page } comms  
& Edward Parsons }



Fee Bill to John P. Graham commd surveyor  
for surveying plotting calculating and reporting the  
foregoing to measuring 2 143 Poles at one cent for the first  
one hundred and 1/2 cent for the remainder \$ 11.21.

laying down one plat 50 \$ .50

one calculation 50. \$ .50

one report 50 \$ .50

Travel to and from place of survey at 5 cts. per mile 12, 7/8 \$ 1.20  
\$ 13.91

to William P. Page for 4 1/2 days as commissioner and chain carrier  
at \$2.00 per day \$ 9.00

to Edward Parsons for 4 days as commissioner and chain carrier  
at \$2.00 per day \$ 8.00

\$ 30.90



Elijah C. Carter  
vs <sup>33</sup> Comrs Report.

Eliza J. Lambert et al

Filed August 21<sup>st</sup> 1882.

J. A. Hyatt  
Clerk

Report Nathaniel  
Hanks Heirs

Comrs. fees & \$30.<sup>00</sup>/<sub>100</sub>

\$30.<sup>00</sup>/<sub>100</sub>



To the Honorable John A. Kelly Judge of the  
Circuit Court of Lee County Virginia, We  
the undersigned Commissioners appointed  
for that purpose at the March Term 1882  
were upon the land of Nathaniel Alsup  
on the 29<sup>th</sup> and following days of May 1882  
and proceeded to survey, partition and  
assign said land to the several parties enti-  
tled thereto in the manner following, we found  
said tract of land to contain 467 acres as near  
as could be ascertained by actual survey, we  
did not lay off one third as dower interest to the  
Plaintiff in this cause for this reason the widow  
of said Nathaniel Alsup had departed this  
life some time previous to the 29<sup>th</sup> day of May  
1882, as we were credibly informed and as  
was acknowledged by the plaintiff in this  
cause this being the time we commenced the  
discharge of the duties imposed upon us by your  
order) first we lay off and assign to the  
heirs of Jasper Alsup dec'd, 68½ acres and  
bounded as follows to wit Beginning at Sugar  
tree and poplars sourwood a little north of the  
north bank of straight Creek, one of the original  
corners of this tract of land, standing very near  
the cabin in which Martha Alsup the widow  
of the late Jasper Alsup deceased now  
reside we ran S 16° E 4 poles to a stake in the  
north edge of straight Creek N 57½° E 19 poles to  
a white oak on the north bank of said Creek  
N 77° E 52 poles to a rock at large index and 1. N  
42° W. 7 poles to a Chestnut N 27½° E 13 poles to a  
rock N 3½° E 19 poles to a rock N 15° W. 18 poles to a rock



near a branch, then leaving said branch  $N 82^{\circ} \frac{1}{2} W$  16 poles to a stake on the top of a ridge then up and along the top of said ridge  $N 7^{\circ} E$  22 poles to a stake  $N 1^{\circ} \frac{1}{2} W$  21 poles to a stake  $N 20^{\circ} E$  13 poles to a Chestnut oak  $N 36^{\circ} \frac{1}{2} E$  15 poles to a stake  $N 29^{\circ} \frac{1}{2} E$  14 poles to a Hickory  $N 3^{\circ} \frac{1}{2} E$  9 poles to a spotted oak  $N 13^{\circ} E$  8 poles to a Chestnut oak and stake & a stake on the main ridge between Straight Creek & Benedict's branch then down and with the top of said ridge  $S 45^{\circ} \frac{1}{2} W$  17 poles,  $S 68^{\circ} \frac{1}{2} W$  13 poles  $S 57^{\circ} \frac{3}{4} W$  14 poles  $S 50^{\circ} \frac{1}{2} W$  8 poles  $S 34^{\circ} W$  24 poles to a Chestnut oak below a rocky point  $S 23^{\circ} W$  34 poles  $S 23^{\circ} \frac{1}{2} W$  7 poles,  $S 31^{\circ} W$  8 poles  $S 25^{\circ} \frac{1}{2} W$  6 poles  $S 17^{\circ} \frac{1}{2} W$  10 poles  $S 4^{\circ} \frac{1}{2} W$  7 poles,  $S 13^{\circ} W$  8 poles  $S 23^{\circ} \frac{1}{2} W$  10 poles  $S 21^{\circ} \frac{1}{2} W$  7 poles  $S 3^{\circ} \frac{1}{2} W$  6 poles to 4 black oaks & 2 Chestnuts on top of said ridge,  $S 2^{\circ} E$  22 poles to a Chestnut & black oak  $S 15^{\circ} \frac{1}{4} E$  33 poles to the Beginning by a reference to the accompanying plat this lot may be seen, Beginning at the small index and A thence to 3, 2 & 1, & the large index then to a, b, c and around to c and thence to A the Beginning for convenience we call this lot No 1.

We next lay off and assign lot No 2 containing 82 acres to the heirs of Jincy Trapper deceased and bounded as follows to wit Beginning at a stake on north bank or edge of Straight Creek, at 3; thence to lot No 1 and with lines of same  $N 57^{\circ} \frac{1}{2} E$  19 poles to a white oak on the north side of said Creek  $N 77^{\circ} E$  52 poles to a rock at the large index & 1 then leaving the lines of the first lot  $S 67^{\circ} \frac{1}{2} E$  crossing said Creek 20 poles to a Chestnut oak & bush on the end of a cliff  $N 89^{\circ} \frac{3}{4} E$  9 poles to a spotted oak  $S 76^{\circ} E$  9 poles to a Chestnut  $S 63^{\circ} E$  15 poles

to Chestnut oak  $S 76^{\circ} \frac{1}{2} E$  6 poles to a stake  $S 73^{\circ} E$  10 poles to a stake,  $S 77^{\circ} \frac{1}{2} E$  11 poles to a stake, then leaving the top of said Spur  $S 87^{\circ} E$  93 poles to a stake at the top of the low mountain, then down and with the top of the same as it meanders  $S 55^{\circ} W$  10 poles  $S 36^{\circ} \frac{1}{2} W$  10 poles to a large sugar tree,  $S 61^{\circ} W$  12 poles  $S 55^{\circ} W$  7 poles,  $S 31^{\circ} W$  14 poles,  $S 41^{\circ} \frac{1}{2} W$  14 poles,  $S 57^{\circ} \frac{1}{2} W$  6 poles  $S 28^{\circ} \frac{1}{2} W$  21 poles,  $S 65^{\circ} W$  6 poles  $S 38^{\circ} \frac{1}{2} W$  8 poles  $S 28^{\circ} W$  6 poles to a locust and Hickory & Hickory stump a little East of a low gap, on top of said low mountain and in the McCreddie line, then leaving the top of said low mountain and with the McCreddie line  $N 68^{\circ} W$  163 poles to two Hickories & Birch on a steep hill side two or three poles west of a small branch, then leaving the McCreddie line  $N 16^{\circ} W$  30 poles crossing straight Creek, to a stake in the North edge of said Creek, the beginning.

We next assigned lot No 3 containing 100 Acres to Eliza J. Lambert and bounded as follows to wit, Beginning at the large index & 1, thence to each of the foregoing lots, thence  $N 53^{\circ} \frac{1}{2} E$  43 poles to a maple on the south side of Straight Creek  $N 42^{\circ} \frac{1}{4} E$  26 poles to a Hickory on the north bank of said Creek  $N 61^{\circ} E$  13 poles to a gum on the south bank of said Creek  $N 38^{\circ} \frac{1}{2} E$  8 poles to a stake near a spring on the north bank of said Creek  $N 44^{\circ} \frac{1}{2} E$  7 poles to a poplar on the south bank of said Creek  $N 27^{\circ} E$  7 poles to a beech at the foot of a bank of said Creek, then leaving said Creek  $N 76^{\circ} \frac{1}{2} E$  134 poles to a stake on top of the low mountain



S.  $8^{\circ}$  E. 8 poles, S  $20^{\circ}$  E 12 poles S  $14\frac{1}{2}^{\circ}$  E  $3\frac{1}{3}$  poles, S  $18^{\circ}$  W 18 poles, S  $8\frac{1}{2}^{\circ}$  E 4 poles S  $37\frac{1}{2}^{\circ}$  W  $17\frac{1}{3}$  poles passing the snake den S  $9^{\circ}$  W. 10 poles S  $2^{\circ}$  W 5 poles S  $11^{\circ}$  W 8 poles S  $49\frac{1}{2}^{\circ}$  W 26 poles to a double spotted oak & Hickory. S  $10\frac{1}{2}^{\circ}$  W 9 poles, S  $1^{\circ}$  E 2 poles S  $10^{\circ}$  W 15 poles, to a stake corner to the second lot & with the line of same N  $87^{\circ}$  W 93 poles to a stake N  $77\frac{1}{2}^{\circ}$  W. 11 poles, N  $73^{\circ}$  W 10 poles N  $76\frac{1}{2}^{\circ}$  W 6 poles to a chestnut oak N  $63^{\circ}$  W 15 poles to a Chestnut N  $76^{\circ}$  W  $9\frac{1}{2}$  poles to a spotted oak S  $89\frac{3}{4}^{\circ}$  W 9 poles to a chestnut oak & beech at the end of a cliff N  $67\frac{1}{2}^{\circ}$  W  $20\frac{1}{2}$  poles crossing Straight Creek to a Rock the Beginning.

We next assigned Lot No 4 Containing  $206\frac{1}{2}$  Acres to Elijah B. Carter (the Plaintiff in this Cause) as two fifths of said land and bounded as follows, to wit beginning at the large index & 1. Corner to each of the three first lots, N  $4\frac{1}{2}^{\circ}$  W. 7 poles to a chestnut N  $27\frac{1}{2}^{\circ}$  E  $1\frac{1}{3}$  poles to a rock N  $3\frac{1}{2}^{\circ}$  E 19 poles to a rock N  $15^{\circ}$  W 15 poles to a rock near a branch then leaving said branch north  $82\frac{3}{4}^{\circ}$  W 16 poles to a stake on the top of a ridge, then along the top of said ridge N  $7^{\circ}$  E 22 poles to a stake N  $1\frac{1}{2}^{\circ}$  W. 21 poles N  $20^{\circ}$  E 13 poles to a chestnut oak N  $36\frac{1}{2}^{\circ}$  E 15 poles N  $29\frac{1}{2}^{\circ}$  E  $14\frac{1}{4}$  poles to a Hickory N  $3\frac{1}{2}^{\circ}$  E 20 poles to a spotted oak N  $13^{\circ}$  E 8 poles to a chestnut oak on the main ridge between Straight Creek and Edwards branch due N 9 poles N  $11^{\circ}$  E 6 poles N  $28\frac{1}{2}^{\circ}$  E 8 poles N  $21\frac{1}{2}^{\circ}$  E 14 poles to a sugar tree Chestnut & Hickory N  $35^{\circ}$  E  $12\frac{1}{4}$  poles to a large chestnut Oak N  $18\frac{1}{4}^{\circ}$  E 10 poles to



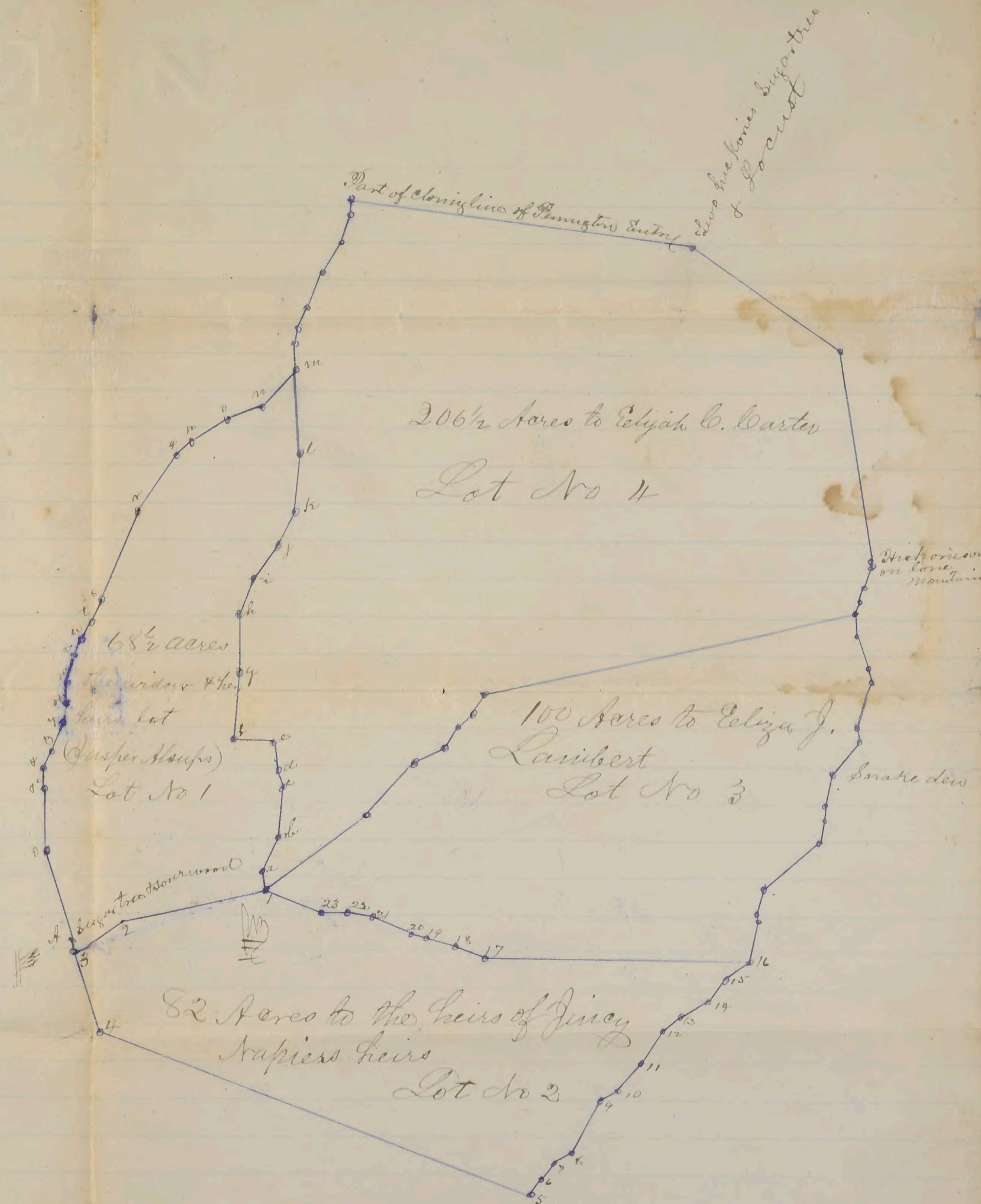
a Hickory N 4° E 5 poles to a stake and  
white oak in the closing line of an entry  
made in the name of Levi & Elijah  
Perinington, said entry bearing date date  
May 4<sup>th</sup> 1849, and with said closing line  
S 89° 4' E 108 poles to Sugar tree two Hickories &  
fallen locust (the Beginning corner  
to the said Perinington Entry,) S 54° E  
63 poles to two Chestnuts and two Chestnut  
Oaks on the side of the black mountain  
S 8° E 76 Poles to two Hickories in a low  
place on the top of the lone mountain  
thence down and with the top of said  
as it meanders S 20° W 8 poles, S 12° 1/2 W  
5 poles S 28° W 5 poles to a stake corner to  
lot No 3 and with lines of the same  
S 76° 1/2 W 134 poles to a beech at the foot  
of a bank on the south side of straight  
Creek, S 29° E 7 poles to a poplar on the  
south bank of the said Creek S 44° 1/2 W  
7 3/4 poles to a stake near a spring on the  
north bank of the Creek S 38° 1/2 W. 8 poles  
to a gum on the south bank of said creek  
S 61° W 12 poles to a Hickory on the north  
bank of said Creek S 53° 1/2 W. 43 poles  
to the Beginning, By a reference to  
the accompanying diagram each lot will  
be seen sufficiently indicated. Submitted  
this June 20<sup>th</sup> 1882

John P. Graham }  
Wm. P. Page } Comrs.  
Edward Parsons }

A Copy Teste -

J. A. Hyatt Clerk







Elijah L. Carter

3. Copy of Census  
Report & Plat.

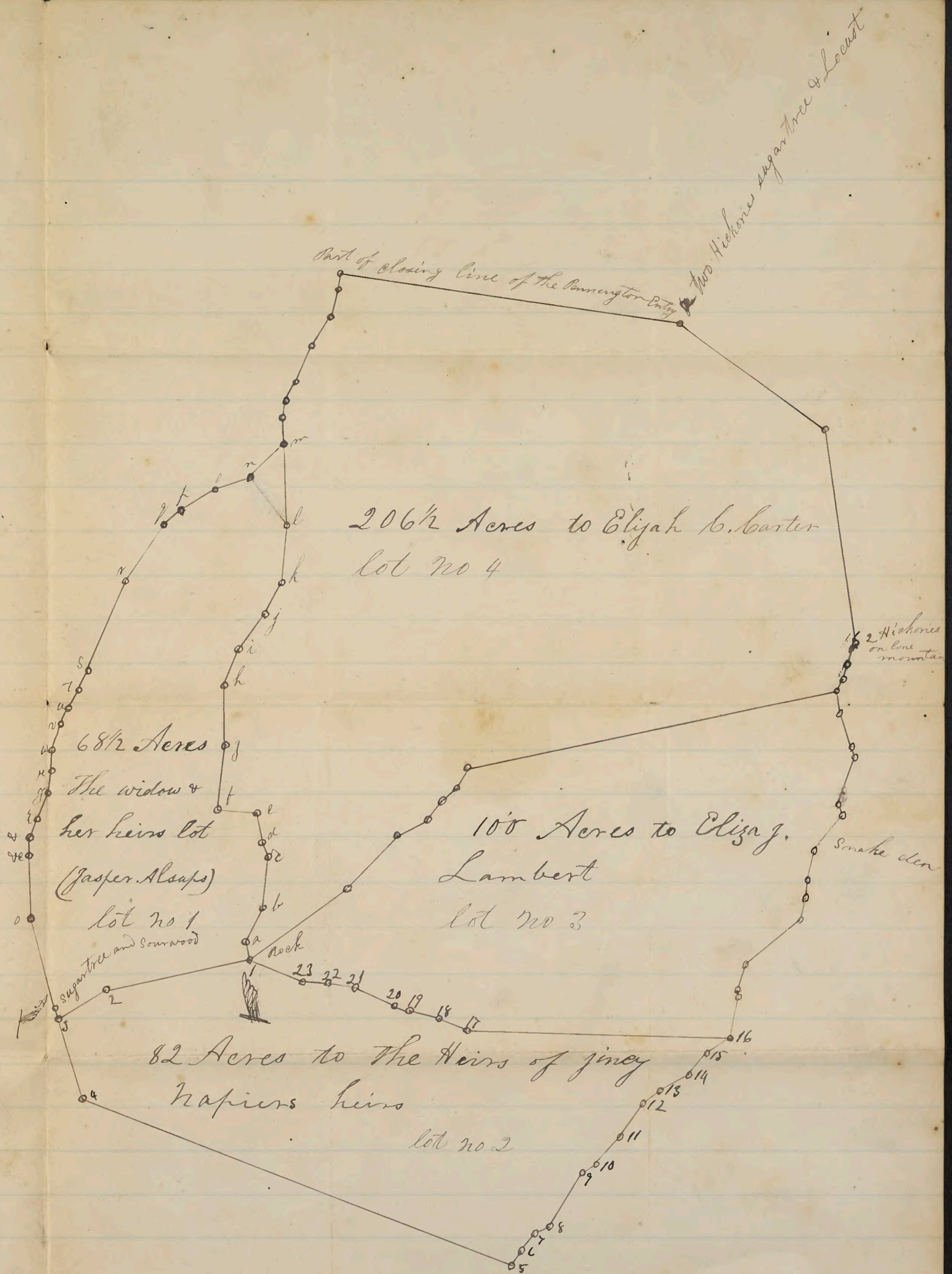
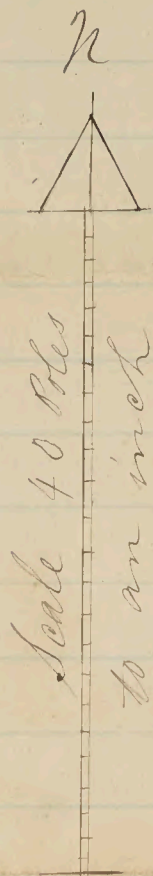
Eliza J. Lambert et al

Recorded in Deed.

Book No. 20 P. 120-1234

J. R. Gibson clk







Filed Aug 21 1882  
J. H. H. H. H.  
L. L. L. L.

Platt Nathaniel  
Alsaps Heirs



I Lucy Alsop widow of Nathaniel Alsop dead do by  
these presents for a valuable consideration to me in hand  
paid by Elijah B Carter, bargain sell deliver and convey  
unto said Carter all my right and title to dower in  
and to all the real estate owned by Nathaniel Alsop at  
the time of his death lying and being in the county of  
Lee State of Virginia, and the dower interest hereby  
conveyed being my right to dower in about 500 acres of  
land owned by said Alsop at his death and situated  
on the head of straight creek on the north side of the line  
and south side of the little Black Mountains in said county  
Witness the following signature & seal this 3rd day  
of August 1881.

Lucy <sup>her</sup> x Alsop (seal)  
Marke  
Kentucky Harland county Trust.

I John G Farley a justice of the peace in  
and for the county and State of said do certify that  
Lucy Alsop whose name is signed to the above writing  
bearing date August the 3rd 1881. has acknowledged  
the same before me in the said county. Given under  
my hand and seal this 11 day of August 1881.

John G Farley J.C. (seal)



E. C. Carter

From { Deed

Suey Alsufi

(A)

For Deed

Deed of Gift

Deed of Gift

Deed of Gift



Feb. 18. 1880

Know all men by these presented that  
Wm Carlow M. Short and Marget Short  
(his wife) are held and firmly bound unto  
Elijah Carter in the just and full  
sum of Four Hundred Dollars. Witness  
now the condition of the a bove obligation  
is this the said W. M. Short and Marget  
Short (his wife) has sold the said Elijah  
Carter a certain tract or parcel of Land  
being their intire undivided interest in the  
Lands of the estate of Nathaniel Ashup  
(Deceased) Lying and being in the County of  
Lee and State of Virginia, in the Pocket  
County on the head waters of Strait Creek  
Now if the said Carlow M. Short and  
Marget Short (his wife) makes or causes to  
be made a good <sup>Deed</sup> write when Purches  
money is paid or secured to be paid  
this is null and void other wise to  
Remain in full force. Given under  
our hands the Day and date a bove written  
Carlow M Short Seal  
Marget Short Seal

Attest  
William M. Carter  
James <sup>his</sup> Hall



Carlo + Margaret Shook

To { Little Bond

E. C. Carter

(B)

Bond



Jan. 13<sup>th</sup> 1872.

Know all men by these presents that We Samuel D. Carter and Elizabeth Carter (his wife) are held and firmly bound unto Elijah Carter, in the just & full sum of Two Hundred Dollars - (Witness). now the conditions of the above obligation is this. (The said Samuel D. Carter & Elizabeth (his wife) have sold the said Elijah Carter a certain tract or parcel of Land. being their entire undivided interest in the Lands of the estate of Nathaniel A. Leup (Dec) Lying & being in the County of Lee & State of Virginia in the head waters of Straits Creek. Now if the said Samuel D. Carter & Elizabeth Carter (his wife) makes or causes to be made a good write when purchase money is paid or secured to be paid, this is null & void, other wise to remain in full force - given under our hands and seals

The day & date above written

S. D. Carter Seal  
Elizabeth Carter Seal

Attest.



Samuel Carter scries

To { Bond.

E. C. Carter.

(6)



This deed mad and entered in to on this the  
 1<sup>st</sup> day of February 1882 by and between  
 William A Parsons and Chany R his wife of the  
 first and John Napier deceased heirs of the second  
 part all of the county of Lee and state of Virginia  
 witnesseth that for and in consideration sum of  
 seventy five dollars in hand paid the Receipt where of  
 is hereby acknowledged the parties of the first part  
 have this day Bargained sold and delivered to the parties  
 of the second part a certian tract or parcel of Land  
 of Barbry Alsop undevided in trust in her  
 father Nathaniel Alsops Land Lying in Lee  
 County on the head of Strait creek to have and  
 to hold the said un devided in trust or tract  
 of Land with all the appurinnances there to belonging  
 forever and the parties of the first part will forever  
 warrant and defend against the claimes or claimers  
 of any and all persons whomsoever they be  
 witnes the following signature and sals This <sup>day</sup> and  
 date first above writen

William A. Parsons (seal)

Chany <sup>hijy</sup> Parsons - (seal)  
 mark

Virginia, Lee County, to-wit:

In the Clerk's office of Lee County, on the 2nd  
 day of February, 1909, this deed was presented, and together  
 with the certificate annexed, were duly recorded.

Teste: \_\_\_\_\_, Clerk.

Recorded in Deed  
 Book 48, page 76  
 Examined Feb. 3/1909

Induxed



Lee County to wit  
 we J J Newman and William P Page justices  
 for the aforesaid county do certify that  
 William C Parsons and Chama R Parsons his wife  
 whose names is annexed to the writing bearing date  
 February the 1<sup>st</sup> 1882 personally appeared before  
 us in the aforesaid County and the aforesaid  
 Chama R Parsons being privately examined <sup>by</sup> her  
 husband and havinge the writing fully explained  
 to her she the said Chama R Parsons acknowledged  
 the same to be her act and says she  
~~did~~ she did willingly execute the same <sup>and</sup>  
 not wish to retract it William C Parsons  
 husband of the aforesaid  
 Chama R Parsons whose names is annexed  
 to the above writing abovesaid acknowledged  
 the same before us given under our hands  
 and seals this 1 day of February 1882

James J Newman JP  
 William P Page JP

Virginia, Lee County, to-wit:

In the Clerk's office of Lee County, on this the 2nd  
 day of February, 1909, this deed was presented, and together  
 with the certificate annexed, admitted to record.

Teste: H. C. P. Ewing, Clerk.

Fee \$1.25 -  
 Tax .50  
 \$1.75 Paid  
 by Geo. P. Ewing



Nathaniel Alsop died in 1865. the owner of about  
500 acres of land lying and being in Lee County in  
the Pockets on the head of Straight Creek & on the north side  
of the Low Mountain and South side of the Little Black  
Mountain and was conveyed to him by Elijah Pennington

Said Alsop left a widow Lucy Alsop who is  
still living, and dower has not been assigned her

Said Alsop left 5 children heirs at law. To wit  
Jasper Alsop, Elizabeth Alsop, Eliza J. Alsop, Barbary  
Alsop and Peggy Alsop.

The said Jasper died leaving a widow Martha Alsop  
and 4 children to wit John, Nathaniel, Matthew, & R.  
J. Alsop all under the age of 21

Elizabeth married Samuel Carter (See

Eliza J. married Wm. Lambuth he is dead. (See

Barbary has not married - See

Peggy married Carlo. Shorth, and Shorth & his wife by  
and have sold all their right and title to said land  
to Elijah C. Carter who has also purchased the entire  
dower interest.

Said Carter wife have also sold their interest to  
said E. C. Carter.

John C. Barbary  
Edward Carson  
Wm. Page

\* It is said that Barbary has sold his interest to Wm. Carson  
Carson & Shorth. He has also sold the same to Wm. Carson & Shorth.  
who is now about the age of 8 children to wit Nathaniel  
George, John C. Pennington, Lee, George, David, John. The  
last two are infants.







The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting:

We Command you to Summon

*Eliza J. Lambert, Martha Alsuf,  
\* John Alsuf, Nathaniel Alsuf, Mathew Alsuf,  
R. J. Alsuf, Martha Napier, George Napier, John R.  
Napier, Herington Napier, Levi Napier, Nancy Napier, Isaac  
Napier and Sarah Napier\**

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in

*February* next, being rule day to answer a bill in Chancery, exhibited in our said Court against

*them*

by

*Elijah C. Carter*

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court at the Court-House

this *19<sup>th</sup>* day of *January* 1882; in the *106* year of the Commonwealth.

*J. A. G. Hyatt*

CLERK.



(A & M)

Elijah C. Carter

vs  $\frac{3}{3}$  Spa in Chcy

Eliza J. Lambert & others

To February Rules 1882

Executed on all the  
parties except Martha  
Lambert. She not  
being in my Bail  
with <sup>100</sup> Miles D. L.  
for L. S. Ely S. L. C.